

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)

Case No. 3:23-CV-3071
MDL No. 3071

THIS DOCUMENT RELATES TO:
3:23-CV-00440
3:23-CV-00742

Chief Judge Waverly D. Crenshaw, Jr.

DECLARATION OF BENJAMIN R. NAGIN IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS TENNESSEE ACTIONS FOR LACK OF PERSONAL
JURISDICTION AND IMPROPER VENUE

Pursuant to 28 U.S.C. § 1746, I, Benjamin R. Nagin, declare as follows:

1. I am a partner at the law firm of Sidley Austin LLP. I am one of the attorneys representing Defendant ConAm Management Corporation in the above-captioned case. I submit this declaration in support of Defendants' Motion to Dismiss Tennessee Actions For Lack of Personal Jurisdiction and Improper Venue (the "Joint Motion"). The facts stated in this declaration are based on my personal knowledge.

2. Attached as **Exhibit 1** is a true and correct copy of Michael Cato's Declaration on behalf of ConAm Management Corporation in support of the Joint Motion.

3. Attached as **Exhibit 2** is a true and correct copy of Jared Harrison's Declaration on behalf of CONTI Texas Organization Inc., d/b/a CONTI Capital in support of the Joint Motion.

4. Attached as **Exhibit 3** is a true and correct copy of Jessica Anderson's Declaration on behalf of Essex Property Trust, Inc. in support of the Joint Motion.

5. Attached as **Exhibit 4** is a true and correct copy of Theresa McFarland's Declaration on behalf of Prometheus Real Estate Group, Inc. in support of the Joint Motion.

6. Attached as **Exhibit 5** is a true and correct copy of J. Brian Peters's Declaration on behalf of Rose Associates, Inc. in support of the Joint Motion.

7. Attached as **Exhibit 6** is a true and correct copy of Jeff Bailey's Declaration on behalf of Sares Regis Group Commercial, Inc. in support of the Joint Motion.

8. Attached as **Exhibit 7** is a true and correct copy of George E. Sherman's Declaration on behalf of Sherman Associates, Inc. in support of the Joint Motion.

9. Attached as **Exhibit 8** is a true and correct copy of Kyle Audet's Declaration on behalf of Windsor Property Management Company in support of the Joint Motion.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that I executed this declaration on October 9, 2023, at New York, New York.



Benjamin R. Nagin

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2023, I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

Dated: October 9, 2023

/s/ Benjamin R. Nagin
Benjamin R. Nagin